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DAVID J. ISABELLA AT ART UNIT 3738 FOR:

APPLICATION NO. 10/657,837, FILED September 9, 2003.

**Ref:** 29914-701.406

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9PTO/SB/21 (02-04)

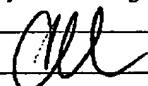
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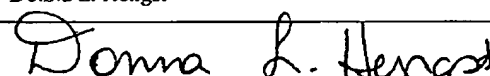
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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/657,837
		Filing Date	September 9, 2003
		First Named Inventor	Mark A. Reiley
		Art Unit	3738
		Examiner Name	David J. Isabella
Total Number of Pages in This Submission	9	Attorney Docket Number	29914-701.406

ENCLOSURES (Check all that apply)		
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Date	October 28, 2005

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PATENT  
Attorney Docket No. 29914-701.406

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application	)	
	)	Confirmation No.: 1759
Inventors: Mark A. Reiley	)	
	)	Art Unit: 3738
Application No.: 10/657,837	)	
	)	Examiner: David J. Isabella
Filed: September 9, 2003	)	
	)	Customer No.: 021971
Title: <u>Facet Arthroplasty Device And Methods</u>	)	

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**AMENDMENT UNDER C.F.R. §1.116**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Introductory Comments:**

Applicant submits this amendment in response to the Final Office Action mailed on July 28, 2005. A response is due October 28, 2005. Accordingly, no extension of time is required to consider Applicant's response. Applicant respectfully requests reconsideration of the application in view of the following amendments and remarks.

**Amendments to the Claims** are reflected in the listing of claims that begins on page 2 of this paper.

**Remarks/Arguments** begin on page 5 of this paper.